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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALEXIS MAGER LAKUSTA,)	No. 07-cv-00227-SBA
)	
Appellant.)	Appeal from Bankruptcy Court - Northern
)	District of California
v.)	
)	UNITED STATES TRUSTEE'S MOTION
UNITED STATES TRUSTEE,)	FOR REMOVAL OF APPELLEE
)	DESIGNATION
Appellee.)	
)	
)	

Sara L. Kistler, Acting United States Trustee for the Northern District of California, moves this court for an order removing the United States Trustee as Appellee in the above captioned appeal.

The U.S. Trustee was erroneously and inadvertently labeled "appellee" based upon Mr. Lakusta's Notice of Appeal filed on December 28, 2006 in the bankruptcy case styled *In re Alexis Mager Lakusta*, Case No. 02-31521 pending before the Honorable Thomas E. Carlson. See Declaration of Paralegal for copy of Notice of Appeal. Therein, the U.S. Trustee is named on page 3 following the paragraph reporting "names of all parties to the order being appealed from." Due to clerical error, inadvertance, or a misunderstanding of the U.S. Trustee's posture in this case, the U.S. Trustee was named as Appellee.

The U.S. Trustee was not a party to the underlying action from which Mr. Lakusta appeals, and thus is not a party to this appeal. See Declaration of Paralegal Specialist for copy of Order Directing Dismissal of Action with Prejudice. Nor will she be participating in this appeal.

1 WHEREFORE, the U.S. Trustee respectfully requests this court to enter an order removing
2 the U.S. Trustee as appellee.

3 Dated: August 7, 2007

Respectfully submitted,
Sara L. Kistler, Acting United States Trustee

4 Of Counsel:

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